

** NOT FOR PRINTED PUBLICATION **

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MARK BARRY, M.D.,

Plaintiff,

v.

MEDTRONIC, INC.,

Defendant.

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CIVIL ACTION No. 1:14-cv-104

JUDGE RON CLARK

PRD

**ORDER GRANTING JOINT MOTION TO EXCEED PAGE LIMITATIONS FOR
POST-TRIAL BRIEFING ON ENHANCED DAMAGES AND EXCEPTIONAL CASE**

The parties in this case jointly move for leave to exceed the page limitations for non-dispositive motions in order to address Dr. Barry's motions for enhanced damages and for a finding of exceptional case in a single brief (Dkt. # 428). The parties jointly request 25 pages for the opening brief, 30 pages for the response, and if needed, 10 pages for the reply and 10 pages for the sur-reply. Because these issues likely present overlapping facts, the court finds good cause to grant the parties' joint motion.

It is therefore ORDERED that the parties' Joint Motion to Combine Briefing on Plaintiff's Motions For Enhanced Damages and Exceptional Case and for Leave to Exceed Page Limitations (Dkt. # 428) is GRANTED. Dr. Barry's opening brief is not to exceed 25 pages, Medtronic's response is not to exceed 30 pages, and if any reply or sur-reply is filed, each of those briefs is not to exceed 10 pages.

So Ordered and Signed

Nov 30, 2016



Ron Clark, United States District Judge